UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ----X ANUCHA BROWNE SANDERS, Plaintiff, -against-06 CV 0589 (GEL) MADISON SQUARE GARDEN, L.P., ISIAH LORD THOMAS III and JAMES L. DOLAN, Defendants. VIDEOTAPED DEPOSITION OF

New York, New York

Tuesday, January 23, 2007

REPORTED BY:

BARBARA R. ZELTMAN

JOB NO.: 11343



From File to Trial.

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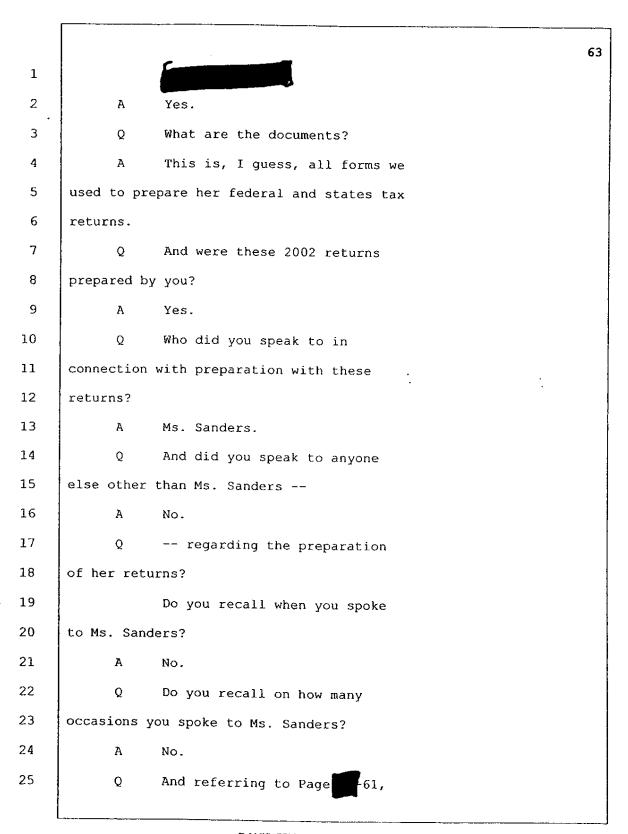
600 Anton Boulevard, 11th Floor Costa Mesa, CA 92626 (866) DFW-1380

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1
 2
      very frantic.
                  And I know I spoke to her a
 3
 4
      couple times over the phone. What I
 5
      really spoke to her about, I don't know,
 6
      but I know we ended up filing the return.
 7
                  With respect to this schedule,
      Schedule C, who furnished the information
 8
 9
      regarding direct marketing?
10
                  MR. MINTZER: Objection to
11
           form.
12
            Α
                  The client.
13
                  You can answer.
14
                  My client.
15
                  Ms. Sanders?
16
                  Uh-huh.
17
                  Do you recall what your
18
      conversation was with her regarding --
19
            Α
                  I don't recall.
20
            Q
                  And the code under B, Item B,
21
      454390, what is that code?
22
                  I don't recall.
23
            Q
                  Are you at all familiar with
24
      that code?
25
            Α
                  Not as of today.
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at has been marked 6, the tax return for Ms. Sanders, other Ms. Sanders, did you have any resations with anyone else regarding ration of this return? A Why would I speak to somebody about her return? Q Well, my question to you is: Ou have any conversations with anyone regarding this return? A No.
Tax return for Ms. Sanders, other Ms. Sanders, did you have any resations with anyone else regarding ration of this return? A Why would I speak to somebody about her return? Q Well, my question to you is: but have any conversations with anyone regarding this return? A No.
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e have any conversations with anyone egarding this return? A No.
egarding this return?
A No.
<u> </u>
Q So the only person that you
conversation with regarding
ation of the return was Ms. Sanders?
MR. MINTZER: Objection to
orm. Asked and answered.
Q Is that correct?
A Yes.
Q And did anyone other than
nders provide you with the
ation that is contained in the
?
)
MR. MINTZER: Objection to

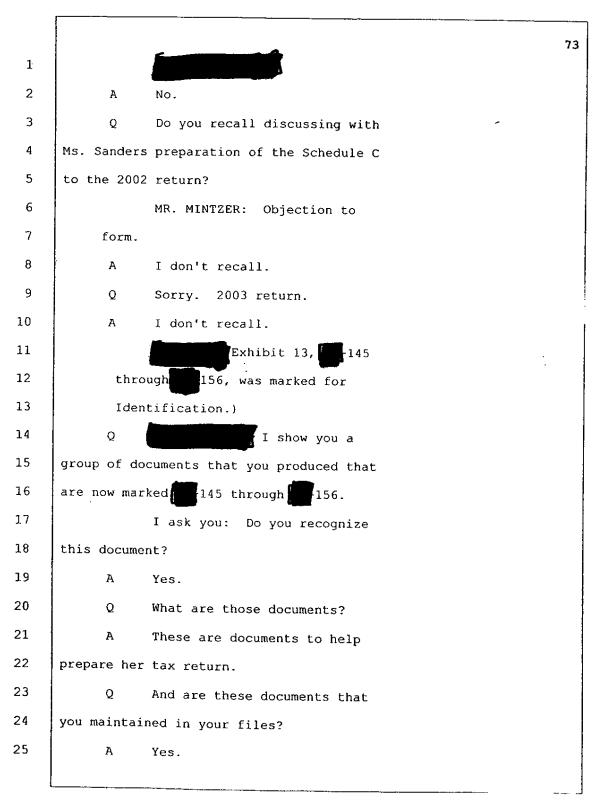
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2	A It could only be Ms. Sanders.					
3	Q And that is true with respect					
4	to the information contained in					
5	Schedule C?					
6	MR. MINTZER: Objection to					
7	form.					
8	A Yes.					
9	Q None of the information					
10	contained in Schedule C was made up by					
11	you?					
12	MR. MINTZER: Objection to					
13	form.					
14	A I don't recall.					
15	Q Are there any occasions where					
16	you actually make up information rather					
17	than use information that a client gives					
18	to you?					
19	MR. GUNZBURG: Objection. I					
20	am going to object. Don't answer					
21	that question. You are going to have					
22	to be a lot more specific than that.					
23	I am not going to let him answer that					
24	question.					
25	(Directive to witness.)					

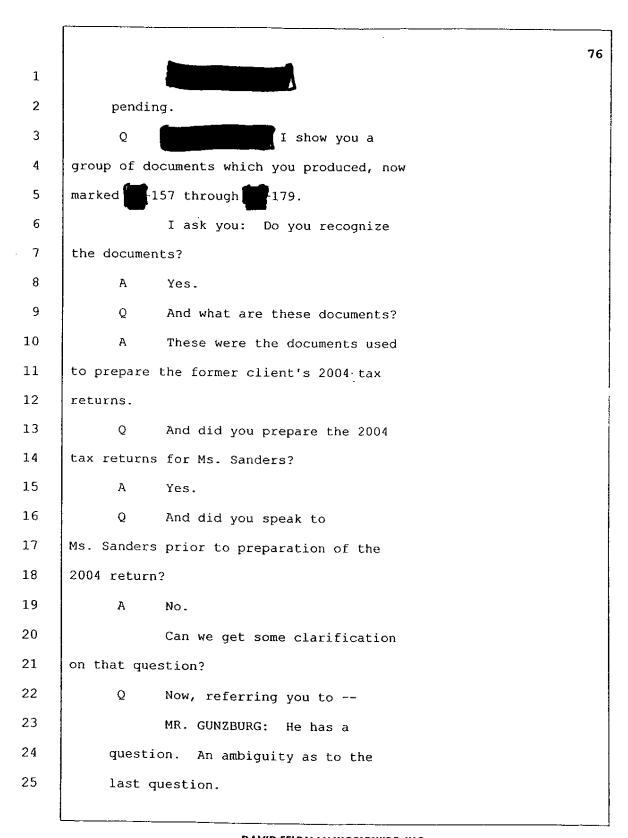
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1				
2	MR. MINTZER: Objection to			
3	form. Asked and answered.			
4	A That's what they do is carries			
5	it forward.			
6	Q But you didn't have the form			
7	the year before?			
8	A I understand that. We did the			
9	return in 2001, but used the same system			
10	for 2002. In that system, it gives you			
11	the capability to provide organizer to			
12	help the client to prepare their			
13	information to file their tax return.			
14	So whatever was filed in 2001			
15	gets pro forma to 2002.			
16	Hopefully. I am not a			
17	computer person, so I don't know if it's			
18	really doing what it's supposed to do.			
19	So certain boxes seem to be			
20	checked, some boxes are not filled in. I			
21	was new to the system, how this works, how			
22	we gave it to the client, hopefully they			
23	fill it out to the best of their ability.			
24	Again, some do and some don't.			
25	We don't have, like, a score			



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.· •2	log.	
3	(Q: Do you recall if you ever met	
4	with Ms. Sanders in person regarding	
5	preparation of the 2003 return?	
6	A No, I don't believe I did.	
7	Q Did you speak to anyone else	
8	other than Ms. Sanders regarding	
9	preparation of the 2003 return?	
10	MR. MINTZER: Objection to	
11	form.	
12	A No.	
13	Q Did anyone else provide you	
14	with information, other than Ms. Sanders,	
15	that's contained in the 2003 return?	
16	MR. MINTZER: Objection to	
17	form.	
18	A I don't recall.	
19	Q You testified that you only	
20	spoke to Ms. Sanders regarding the 2003	
21	return; is that correct?	
22	A Correct.	
23	Q And you are now testifying	
24	that you don't recall whether anyone else	
25	provided you with information regarding	

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1			
2	A	No.	
3	Q	Did anyone other than	į
4	Ms. Sanders	provide you with information	
5	regarding t	ne 2003 return?	
6		MR. MINTZER: Objection to	
7	form.	Asked and answered.	
8	A	No.	
9	Q	Your answer is no?	ŀ
10	A	No.	
11	Q	Thank you.	
12		And with respect to the	
13	document tha	at that's marked 124,	
14	Schedule C,	Profit or Loss From Business,	
15	did you spea	ak to anyone other than	
16	Ms. Sanders	regarding preparation of that	
17	schedule?		
18		MR. MINTZER: Objection to	
19	form.		
20	A	No.	
21	Q	Did anyone else other than	
22	Ms. Sanders	provide information to you	
23	regarding pr	reparation of that schedule?	
24		MR. MINTZER: Objection to	
25	form.		





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2	A I have a question. You said	
3	did I speak to her prior to	
4	Q I am going to clarify the	
5	question. But you have to give me an	
6	opportunity to clarify the question.	
7	MR. GUNZBURG: Sorry.	
8	Q Referring to Page 158,	
9	second page, at the bottom of the page,	
10	the date 3-29-05, what is that date?	
11	A: That would be the date we	
12	printed it from the computer.	
13	Q Would that be the date that	
14	you completed the return?	
15	A No. That was the date we	
16	printed it from the computer.	
17	Q Do you know when you completed	
18	the return?	
19	A I don't recall.	
20	Q My question is: Prior to	
21	March 29 of 2005, did you have any	
22	conversation with Ms. Sanders regarding	
23	preparation of the 2004 return?	
24	A I don't recall.	
25	Q And prior to March 29, 2005,	
Į		

177 1 calendar year 2002 when you prepared the 2 3 2001 return, that return would have been 4 prepared based on information you received 5 from Ms. Browne Sanders; is that correct? 6 MR. MINTZER: Objection to 7 form. Asked and answered. 8 Α Yes. 9 Q Because it would be fair to 10 say that in any tax year, you would not 11 add information to a return if you did not 12 have a basis for it received from the 13 individual that you were doing the return 14 for; is that correct? 15 MR. GUNZBURG: Are you talking 16 about generally, or talking about 17 Anucha Browne Sanders? 18 MS. FRANCO: I am talking 19 about generally. 20 MR. MINTZER: Objection to 21 form. Your questions are so leading, and really, you are testifying for 22 23 this witness. 24 MS. FRANCO: I consider him to 25 be an adverse witness.